

UTILITIES SERVICE BOARD MEETING
October 17, 2005

UTILITIES SERVICE BOARD MEETINGS ARE RECORDED ELECTRONICALLY OR STENOGRAPHICALLY AND ARE AVAILABLE DURING REGULAR BUSINESS HOURS IN THE OFFICE OF THE DIRECTOR OF UTILITIES.

Board President Swafford called the regular meeting of the Utilities Service Board to order at 5:04 p.m. The meeting was held in Conference Room 100B at the Indiana University Research Park at 501 North Morton Street in Bloomington, Indiana.

Board members present: Tom Swafford, Richard Eherenman, Jeff Ehman, Rachel Tolen, Tim Henke and Tim Mayer. Staff members present: Patrick Murphy, John Langley, Tom Staley, Steve Saulter, Mike Bengton, Mike Hicks, Nathan Shulte, Vickie Renfrow and Ryan Fetters. Others present: Margaret Fette representing the Libertarian Party.

MINUTES OF PREVIOUS MEETING:

BOARD MEMBER EHERENMAN MOVED AND BOARD MEMBER EHMAN SECONDED THE MOTION TO APPROVE THE MINUTES OF THE OCTOBER 3, 2005, MEETING AS PRESENTED. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT. (WHIKEHART AND VAUGHT)

CLAIMS:

BOARD MEMBER EHERENMAN MOVED AND BOARD MEMBER EHMAN SECONDED THE MOTION TO APPROVE THE CLAIMS AS FOLLOWS:

CLAIMS 0591373 THROUGH 0591474 INCLUDING \$99,561.47 FROM THE WATER OPERATIONS & MAINTENANCE FUND FOR A TOTAL OF \$99,561.47 FROM THE WATER UTILITY; CLAIMS 0530884 THROUGH 0530920 FOR A TOTAL OF \$126,822.98 FROM THE WASTEWATER UTILITY; AND CLAIM 0570113 THROUGH 0570115 FOR A TOTAL OF \$2,941.92 FROM THE WASTEWATER/ STORMWATER UTILITY. TOTAL CLAIMS APPROVED – \$229,326.37. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT (WHIKEHART AND VAUGHT).

AUTO-PAY & TRANSFERS FOR THE MONTH OF SEPTEMBER 2005.

EHMAN MOVED AND EHERENMAN SECONDED THE MOTION TO APPROVE THE AUTO-PAY & TRANSFERS FOR THE MONTH OF SEPTEMBER 2005 IN THE AMOUNT OF \$811,935.47. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT (WHIKEHART AND VAUGHT).

SELECTION OF FIRM TO PROVIDE ARCHITECTURAL DESIGN AND ENGINEERING SERVICES FOR THE NEW ADMINISTRATION BUILDING.

Board President Swafford reported that there had been a combined meeting of the Finance and Engineering Subcommittees on October 13, 2005. The subcommittees recommended that Schmidt and Associates be retained by the Utilities Service Board for the design and engineering of the new Utilities' Administration Building.

HENKE SECONDED THE MOTION TO ACCEPT THE RECOMMENDATION OF THE FINANCE AND ENGINEERING SUBCOMMITTEES TO RETAIN SCHMIDT AND ASSOCIATES FOR THE DESIGN AND ENGINEERING OF THE NEW UTILITIES' ADMINISTRATION BUILDING. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT (WHIKEHART AND VAUGHT)

Board President Swafford commented that the City of Bloomington Administration is supportive of the hiring of Schmidt and Associates.

OLD BUSINESS:

Board member Eherenman mentioned that rocks had been thrown through several windows at the Lake Griffy Treatment Plant, and the grass needs some trimming.

NEW BUSINESS:

No new business was presented.

Board member Whikehart arrived at this time.

SUBCOMMITTEE REPORTS:

Board President Swafford reported that the Engineering Subcommittee had met on October 6, 2005 to discuss the appeal of the denial of a sewer extension for Don Cowden. The committee voted 2-1 to overturn the denial of the sewer extension.

BOARDMEMBER EHERENMAN SECONDED THE RECOMMENDATION OF THE COMMITTEE.

Board member Henke said that the County wants to have sewers in the area that Mr. Cowden would like to have them extended to. They view that area as an employment center for small businesses.

Board member Tolen asked if additional Economic Development information had been made available. She said that there did not seem to be a clear benefit to the community if the sewers were extended.

Board member Henke stated that there would be employers. In the industrial park across the street employees are earning good wages at approximately \$11.00 an hour. Board Member Tolen said that there was no supporting evidence that those wages are being earned.

Board President Swafford said that the County should provide the Utilities Service Board with a map that shows where they support the extension of sewers. When the County makes these decisions on a case by case basis it puts Utilities in the zoning business.

Board member Henke said that it is his understanding that the County is in the process of creating a map. He said that he believes that the County will use package sewage treatment plants in cases where the City of Bloomington denies them sewer extensions.

Board member Ehman asked if the City of Bloomington Plan Department has representation on the task force that is creating the map.

Board member Henke replied that they are working first with the Engineering Department, after which they will go to Planning. He stated that he also doesn't like the piece meal approach that the County is using.

Board member Mayer explained that several years ago the County complained to the City that annexations weren't taking place quickly enough. Since that time the City of Bloomington has annexed a number of areas that have been set aside for development with sewers. Now it seems that the County wants both that and to have sewers extended into new areas in the County.

Board member Eherenman commented that Don Cowden's development would bring in new taxes. He would still have to go to the Engineering Staff who would determine the feasibility of extending sewers for Mr. Cowden's development.

Board President Swafford stated that the Developer determines the feasibility by deciding whether or not he can pay for the sewer extension requirements that are decided by the Engineering Staff.

MOTION FAILED. 4 NAYS. 2 AYES (EHERENMAN AND HENKE). 1 MEMBER ABSENT (VAUGHT).

Board President reported for board member Vaught, that at the October 13, 2005 meeting of the Finance Subcommittee the committee had recommended that at this time the City of Bloomington Utilities should not pay off the Russell Road Water Corporation.

HENKE SECONDED THE RECOMMENDATION OF THE FINANCE COMMITTEE THAT THE RUSSELL ROAD WATER CORPORATION NOT BE PAID OFF AT THIS TIME. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (VAUGHT).

Board President Swafford said that City of Bloomington Utilities will continue to make monthly payments to the Russell Road Water Corporation.

STAFF REPORTS:

Deputy Director of Utilities Langley introduced the new Labor Management Committee intern, Ryan Feters.

Deputy Director Langley explained to the Utilities Service Board that IDEM has billed City of Bloomington Utilities approximately \$4,700 for back taxes for an underground storage tank that was installed in 1984's. The tank was never used and the staff didn't even become aware of it tank until 1998. As soon as the tank was discovered City of Bloomington Utilities registered it with IDEM and applied for permission to have the tank removed. IDEM agreed and indicated that there would be no further ramifications from this incident.

Because of the tax amnesty that the State has offered CBU would only have to pay half of the amount they are being billed for. The City Legal department has recommended that CBU settle with IDEM. Deputy Director Langley said that even though the tax would be paid the staff would continue to pursue having it excused.

PETITIONS AND COMMUNICATIONS:

Margaret Fette, representing the Libertarian Party, said that she disagrees with the Utilities Service Board's denial of a sewer extension for Don Cowden.

ADJOURNMENT:

The meeting was adjourned at 5:31 p.m.

L. Thomas Swafford, President